

Sentencing Policy Study Committee

Minutes of meeting on May 6, 2004

MEMBERS IN ATTENDANCE:

Rep. William Crawford
Hon. Richard Good
Sen. Glenn Howard
Sheila Hudson
Stephen Johnson
Larry Landis
Sen. David Long
Todd McCormack
Rep. Luke Messer
Hon. Tanya Walton Pratt
Evelyn Ridley-Turner
Robin Tew

NOTE: All of the information discussed by the Department of Corrections was made available to the Committee in a red booklet. Additional copies of this information are available by contacting Micah Cox, Staff Attorney for the Indiana Criminal Justice Institute at 232-7609 or mcox@cji.state.in.us.

I. Call to Order and Opening Remarks

Sentencing Policy Study Committee Chair Senator David Long began the meeting by thanking the members who were present for their attendance. Each member in attendance then introduced themselves. Sen. Long briefly discussed the survey that was created over the legislative break. After stating the importance of allowing the Department of Corrections an opportunity to voice their opinions, Sen. Long turned the meeting over to DOC Commissioner Evelyn Ridley-Turner.

II. Overview of Meeting Topic by Evelyn Ridley-Turner, Commissioner DOC

Evelyn Ridley-Turner, Commissioner of the Department of Corrections, stated that this meeting would focus on DOC and its mission. Commissioner Ridley-Turner stated that she wanted to give a better understanding of DOC and address some misperceptions about the Department of Corrections. Because there are no plans for prison growth, releases from DOC must begin to exceed intakes. Commissioner Ridley-Turner then introduced Randy Koester, Kathy Lisby, Robert Ohlemiller, Jerry Vance, Mike Brown, and Diane Mains to the Committee and turned the discussion over to Randy Koester, Deputy Commissioner of DOC.

III. Description of the Intake, Assessment, and Service Delivery Processes and Systems: Randy Koester, Deputy Commissioner DOC

Mr. Koester began this portion of the meeting by briefly discussing a few of the many programs that DOC currently utilizes. Mr. Koester then discussed the corrections process with specific attention towards the actual intake and assessment procedures that an offender under the custody of DOC must go through. This discussion included all steps from the offender's reception into

DOC to the offender's main orientation at their assigned correctional facility. Mr. Koester also discussed the important role that credit time plays within DOC. This discussion included the benefits of credit time, the problems with stacking certain forms of credit time, the processes for removing an offender's earned credit time, and the procedures for appealing the loss of credit time. Mr. Koester stated that the discretion to award credit time was extremely valuable to the Department of Corrections. Mr. Koester then mentioned the importance to DOC of transitioning offenders. With regards to the transitioning of offenders, research on the Milwaukee Program was suggested by the Committee. The Committee also commented that judges would like recommendations from DOC to aid in reentry decisions. Commissioner Ridley-Turner stated that DOC doesn't provide actual recommendations, only risk assessments. The Committee members also stated that judges should have more discretion as to when an offender's sentence can be shortened and that Indiana should look at mandatory early release with community corrections.

IV. Demographics of the Offender Population: Kathy Lisby, Director, Division of Planning DOC

Kathy Lisby, Director of the Division of Planning for the Department of Corrections presented numerous statistics and charts to describe DOC's offender demographics. All of the charts and statistics presented were in the red booklet distributed by DOC at the meeting. While the information presented to the Committee did not differentiate between mandatory or discretionary sentences, Ms. Lisby stated that she would work on compiling this information for the Committee. Committee members suggested that effective substance abuse programs would be a solution to some of the problems DOC is currently facing. Committee members also suggested that sentence enhancement statutes needed to be looked at because they remove discretion from judges. The prevalence of substance abuse problems in the offender population was recognized with the Committee stating that finding resources to combat these problems was the challenge. It was further stated that the lengths of sentences, not new admissions, are causing the problems that DOC is facing. Committee members commented on initiating programs to hire ex-offenders and had a brief discussion on the use of out-of-state contracted facilities.

V. Discussion of DOC Programs: Jerry Vance, Director of Substance Abuse Programs DOC

Mr. Vance discussed the programs that DOC makes available to offenders. The programs that are available to offenders are determined by the facility where the offender is placed. Mr. Vance discussed the therapeutic communities program and provided statistics on waiting lists for the program, the number of successful program completions, and the number of bed days saved by the program. Mr. Vance also discussed educational programs and provided many of the same statistics. When asked what the Committee could do to help DOC with these programs, Mr. Vance suggested that more housing units for therapeutic housing programs at the New Castle facility would help. The Committee discussed some

of the barriers between coordinating DOC services and aftercare. It was also stated that DOC can generally only afford to provide services to an offender on their way out of confinement. The Committee again rose the issue of what sort of effective job training was actually being provided to offenders. This portion of the meeting concluded with DOC being commended on their programs.

- VI. *Release and Community Supervision Services: Mike Brown, Director of Community Services DOC and Bob Ohlemiller, Deputy Commissioner DOC*
Mike Brown, Director of Community Services at the Department of Corrections began this portion of the meeting by discussing and providing statistics on DOC's community corrections program. It was stated that while DOC gives parameters for community corrections programs, the county determines the makeup of the actual program. The Committee briefly discussed how other states do community corrections. Sentencing Policy Study Committee Chair, Sen. David Long, stated that the meeting would briefly adjourn for a break.

The meeting was reconvened at 12:10 p.m. and Bob Ohlemiller, Deputy Commissioner of the Department of Corrections, initiated a brief discussion of parole and probation. After Mr. Ohlemiller's discussion from the red booklet, the Committee inquired about the efficiency of one system that would include parole, probation, and community transition under one umbrella. Sentencing Policy Study Committee Chair, Sen. David Long, thanked the Department of Corrections for their portion of the meeting and introduced Jim Hmurovich, consultant to the Sentencing Policy Study Committee.

- VII. *Review of Recommendations from Prior Committees: Jim Hmurovich, Consultant to the Sentencing Policy Study Committee*
Mr. Hmurovich discussed prior recommendations from the Indiana Correction Advisory Committee (1990) and the Sentencing Policy Evaluation Committee (1996). The recommendations that were discussed were made available to the Committee members on a handout. There was a general consensus that it was beneficial to look at the work of previous groups for guidance.

- VIII. *Discussion of Sentencing Policy Study Committee Work Groups: Jim Hmurovich, Consultant to the Sentencing Policy Study Committee*
Mr. Hmurovich went through the three work groups that were presented to the Committee for their approval and Sentencing Policy Study Committee Chair, Sen. David Long, opened the meeting to discussion and comments from the members of the Committee. The Committee agreed that the work groups would provide the best opportunity to accomplish the most work in the shortest period of time.

- IX. *Discussion and Adjournment*
Sentencing Policy Study Committee Chair, Sen. David Long, briefly discussed the topic of the June 2, 2004 meeting. Stating that the Vera Institute would be here to discuss ways for Indiana to address sentencing issues, Sen. Long stressed the importance of attendance at the next meeting. Sen. Long concluded the

meeting by encouraging the members in attendance to learn more about the Vera Institute by visiting their website.